

# **EXHIBIT W**

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

Kevin Turner and Shawn Wooden,  
*on behalf of themselves and  
others similarly situated,*

Plaintiffs,

v.

National Football League and  
NFL Properties LLC,  
successor-in-interest to  
NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**DECLARATION OF ANTHONY TARRICONE IN SUPPORT OF CO-LEAD CLASS  
COUNSEL'S PETITION FOR AN AWARD OF ATTORNEY'S FEES AND  
REIMBURSEMENT OF COSTS AND EXPENSES**

Anthony Tarricone declares as follows pursuant to 28 U.S.C. § 1746:

1. I am a partner of the law firm of Kreindler & Kreindler LLP. I submit this declaration in support of Co-Lead Class Counsel's Petition for an Award of Attorney's Fees and Reimbursement of Costs and Expenses in connection with and for services rendered and expenses incurred for the common benefit of the Settlement Class in the above-captioned multidistrict litigation ("Action") from the inception of the litigation through July 15, 2016, as

No. 2:12-md-02323-AB

MDL No. 2323

**Hon. Anita B. Brody**

Civ. Action No. 14-00029-AB

well as for the payment of expenses incurred therewith. I have personal knowledge of the matters set forth in this declaration and, if called upon, I could and would testify competently thereto.

2. Partner Anthony Tarricone conceived, organized and directed the carefully orchestrated communications strategy for the litigation. Anthony Tarricone co-chaired the Communications Committee, and personally sought out and was responsible for retaining Ray DeLorenzi and the entire team at CLS Strategies. He worked closely with co-lead counsel, Sol Weiss and Chris Seeger, as well as Steve Marks (PEC member and Co-Chair of the Communications Committee) to implement and execute the plaintiffs communications strategy, which involved work on a daily basis until the settlement was announced and at various times thereafter as necessary.

All common benefit work performed by the Kreindler firm was directly authorized by Co-Lead Counsel.

3. The schedule attached hereto as Exhibit 1 is a detailed summary indicating the amount of common benefit time spent by the attorneys and professional support staff of my firm who were involved in, and billed fifty or more hours to, this Action, and the lodestar calculation for those individuals based on my firm's current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based on the billing rates of such personnel in their final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm. Time expended in preparing this application for attorney's fees and expenses has been excluded.

4. The hourly rates for the attorneys and professional support staff of my firm included in Exhibit 1 are the same as the regular rates charged for their services in other contingent matters.

5. The total number of hours expended on the common benefit of this Action by myself only is **1,573** hours. The total lodestar for my hours is **\$1,258,400.00**, which excludes time expended by other attorneys and support staff as directed for purposes of this Declaration.

In addition to my personal common benefit time, other attorneys in my firm (partners and associates) expended a total of 73.7 hours, and support staff (paralegal) expended 6.7 hours, with a lodestar for this time of \$42,600 for attorney time and \$1,340 for paralegal time, totaling \$43,940.

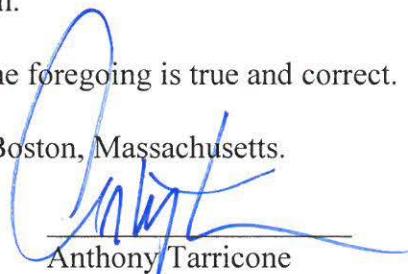
6. My firm's lodestar figures are based solely upon my firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

7. As detailed in Exhibit 2 hereto, my firm is seeking reimbursement of a total of **\$120,832.04** in common benefit expenses incurred in connection with the prosecution of this Action. These expenses are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records, and other source material, and are an accurate record of the expenses incurred.

8. With respect to the standing of my firm to share in an award of fees, costs, and expenses, attached hereto as Exhibit 3 is a biography of my firm, including the attorneys in my firm who were principally involved in this Action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 23<sup>rd</sup> day of January at Boston, Massachusetts.



Anthony Tarricone  
Kreindler & Kreindler LLP  
855 Boylston Street  
Boston, MA 02116  
617-424-9100

# **EXHIBIT 1**

**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY  
LITIGATION**

**No. 12-md-2323-AB**

**KREINDLER & KREINDLER LLP**

**LODESTAR REPORT**

**Inception through July 15, 2016**

NAME	HOURS	HOURLY RATE	AMOUNT
<b>PARTNERS:</b>			
<b>Anthony Tarricone</b>	1,573	\$800.00	\$1,258,400.00
<b>ASSOCIATES:</b>			
<b>STAFF</b>			
<b>ATTORNEYS:</b>			
<b>CONTRACT</b>			
<b>ATTORNEYS:</b>			
<b>PARALEGALS:</b>			
<b>TOTALS:</b>	1,573		\$1,258,400.00

# EXHIBIT 2

**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY  
LITIGATION**

**No. 12-md-2323-AB**

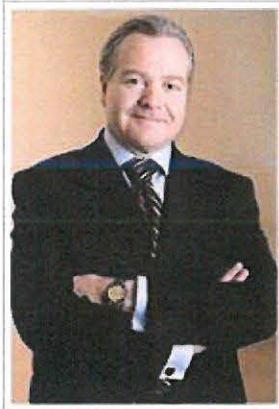
**KREINDLER & KREINDLER LLP**

**COST AND EXPENSE REPORT**

**Inception through July 15, 2016**

<b>NUMBER</b>	<b>CATEGORY</b>	<b>AMOUNT</b>
1	Assessments	\$100,000.00
2	Commercial Copies	\$529.00
3	Computerized Research	\$1,082.82
4	Court Reporters/Transcripts	
5	Expert Services	
6	Facsimile	
7	Filing & Service Fees	
8	In-House Copies	
9	Long Distance Telephone	
10	Postage/Express Delivery	90.00
11	Travel/Meals/Lodging	\$19,130.22
12	Miscellaneous	
<b>TOTAL EXPENSES</b>		<b>\$120,832.04</b>

# EXHIBIT 3



Anthony Tarricone, Partner

**Kreindler & Kreindler LLP**

855 Boylston Street

Boston, Massachusetts 02116

Phone: 617-424-9100

Fax: 617-424-9120

E-mail: [atarricone@kreindler.com](mailto:atarricone@kreindler.com)

Anthony Tarricone has over 30 years experience representing families who have suffered the emotional and financial devastation that results from the unexpected death or injury of a spouse, child, parent or loved one. He has a proven record of success litigating wrongful death and catastrophic injury cases involving aircraft accidents and disasters; defective products; medical negligence; and other complex cases. Before joining Kreindler & Kreindler LLP, Mr. Tarricone was a founding partner of Sarrouf, Tarricone Flemming, where he headed the firm's aviation practice, handling a broad spectrum of cases from air carrier disasters to general aviation accidents in claims against air carriers; manufacturers of aircraft and components; the Federal Aviation Administration (FAA); aircraft repair stations; and operators of charter and rental aircraft. Mr. Tarricone is currently the Chair of International Practice for the American Association of Justice and is a member of PEOPIL (Pan American Organisation of Personal Injury Lawyers). He has served for many years as a member of the Board of Governors and Executive Committee of the Association of Trial Lawyers recently named American Association for Justice which is the largest association of civil trial attorneys in the world. For the past several years he has been elected as a national officer of the Association, most recently serving as President. He has also served as President of the Massachusetts Academy of Trial Attorneys, where he continues to serve as a Governor and member of the Executive Committee. Mr. Tarricone has long been a vocal advocate for individuals who have suffered harm by the negligence and wrongful conduct of corporate and governmental interests. Through his extensive work in state and national trial lawyer organizations, Mr. Tarricone has fought to ensure that individuals have meaningful legal remedies and access to justice in state and federal courts throughout the nation.

Mr. Tarricone presently serves on the Plaintiffs' Executive Committee and as Plaintiffs' Liaison Counsel in the Granuflo Dialysis Litigation as well as currently serving on the Plaintiffs' Steering Committee of the NFL Concussion Injury Litigation. He also recently served as a Committee Coordinator for the Plaintiffs' Steering Committee in the Deepwater Horizon BP Oil Spill litigation. He has a long history of working harmoniously and effectively in settings involving diverse parties and interests and has worked with lawyers and firms throughout the United States and in Europe.

Mr. Tarricone is also a member of the National Transportation Safety Board Bar Association and the Lawyer-Pilots Bar Association. He is a frequent lecturer and writer for Bar Associations and Professional Associations. He has been selected for listing in the Best Lawyers in America and Super Lawyers publications, and he holds the highest rating established by Martindale-Hubbell, which is given to lawyers and law firms considered by the legal community to have Very High to Preeminent Legal Ability and who embrace Very High Professional Standards.

Mr. Tarricone attended Suffolk University Law School, where he served as Note Editor of the Law Review and graduated first in his class. After graduation, he served as Law Clerk to the Justices of the Superior Court before entering private practice.